

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SIMMS SHOWERS LLP

Plaintiff,

v.

MICHAEL JONES

Defendant.

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Case No. 1:23-cv-02827 ABA

PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT

The Plaintiff, Simms Showers LLP (“Simms Showers” or “Plaintiff”), through counsel and pursuant to Federal Rules of Civil Procedure 56, moves for summary judgment on all claims and states as reasons as follows:

1. Defendant has sued Simms Showers in Maryland state court for alleged attorney misconduct occurring solely within the confines of post-petition adversarial proceedings before the Bankruptcy Court.
2. Defendant has in this matter affirmatively sought relief by claiming that the alleged misconduct took place solely and entirely within the confines of post-petition adversary proceedings.
3. As the alleged misconduct occurred during the course of the post-petition adversary proceedings, the Defendant’s state law claims are preempted in their entirety by the Bankruptcy Court’s exclusive jurisdiction over such matters.
4. There are not material disputes of fact, and Simms Showers therefore is entitled to the relief sought by its Second Amended, specifically a declaration that the Defendant’s state law

claims are preempted and that it is entitled to an injunction preventing the Defendant from moving to lift the stay in the Baltimore County case.

5. Simms Showers incorporates herein the Memorandum of Law filed herewith.

WHEREFORE, the Plaintiff, Simms Showers LLP, moves for an order entering summary judgment in favor of the Plaintiff, issuing a declaration that the Defendant's state law claims are preempted, and granting an injunction preventing the Defendant from moving to lift the stay in the Baltimore County case.

Respectfully submitted,

DeCARO, DORAN, SICILIANO,
GALLAGHER, & DeBLASIS, LLP

By: /s/Mark A. Kohl
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Counsel for Plaintiff

REQUEST FOR HEARING

The Plaintiff requests a hearing on all issues raised by the foregoing Motion for Summary Judgment and any opposition thereto.

/s/Mark A. Kohl
Mark A. Kohl, #16890

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this **21st** day of **October, 2025** a copy of the foregoing was served on the *pro se* Defendant by electronic mail.

/s/Mark A. Kohl
Mark A. Kohl, #16890